

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOSEPH JOHN ETCHEVERRY,

CV F 05-00454 OWW DLB HC

Petitioner,

ORDER CONSTRUING PEITTIONER'S
REQUEST FOR JUDICIAL NOTICE, AS
REQUEST TO SUPPLEMENT TRAVERSE,
AND GRANTING REQUEST

v.

JEANNE WOODFORD,

[Doc. 14]

Respondents.

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On August 10, 2005, Respondent filed an answer to the instant petition, and Petitioner filed a traverse on August 29, 2005.

On March 27, 2006, Petitioner filed a request for judicial notice. Petitioner requests that the Court take judicial notice of the California Penal Code section 1191.3. In the alternative, Petitioner requests that the Court accept the submission of as an "augmentation of his memorandums of law submitted to this Court." (Court Doc. 14, at 1-2.)

///

///

///

///

///

1 Because it is unnecessary for the Court to take judicial notice of Penal Code section
2 1191.3, before considering it in reviewing the merits of the instant petition, the Court will
3 construe Petitioner's request as a request to supplement his traverse, and the request is
4 GRANTED.

5 IT IS SO ORDERED.

6 **Dated: May 19, 2006**
3b142a

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE